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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,517	04/03/2003	Alexander Kolbeck	KOLB3001	7553

23364 7590 10/04/2005

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EXAMINER
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KIM, AHSHIK

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/926,517	KOLBECK, ALEXANDER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ahshik Kim	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7 and 11-18 is/are rejected.
- 7) ☒ Claim(s) 5, 8-10 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Amendment***

1. Receipt is acknowledged of the amendment filed on August 5, 2005, responding to  
5 Quayle Action issued by the Office. In the amendment, claims 14 and 16 were amended.  
Currently, claims 1-19 remain for examination.

### ***Withdrawal of allowable subject matter***

2. The indicated allowability of claims 1-4, 6, 7, and 11-18 are withdrawn in view of the  
10 newly discovered reference(s) to McIntosh. Rejections based on the newly cited reference(s)  
follows.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the  
15 basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on  
sale in this country, more than one year prior to the date of application for patent in the United States.

- 20 4. Claims 1-4, 6, 7, and 11-18 are rejected under 35 U.S.C. 102(b) as being anticipated by  
McIntosh (GB 2274184 A, cited by Applicant, hereinafter “McIntosh”).

Re claims 1, 3, 4, 6, 13, and 15, McIntosh discloses a security device for securely  
recording and readily recalling sequence of numbers – PIN numbers (see abstract; page 1, line  
1+; line 26+). The security device first requires a password or an access code – “FLAG” in the

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embodiment (page 3, lines 18+). Examiner notes that the access code or password is not associated with protected-access device. Then user enters a unique feature “BC” which relates to Barclays Current Account, and a PIN code for BC which is “1234” (page 3, lines 24-44). The PIN number 1234 and unique feature “BC” of Barclays Current Account are linked such that in recalling the user enters access code “FLAG” and entering unique feature “BC” the stored PIN code 1234 is displayed (see page 4, lines 9-20). Pin code 1234 can be considered encoded since it requires two other numbers before it is displayed

Re claim 2, the access code “FLAG” is stored to be compared later (page 4, lines 9+) suggesting a permanency.

Re claim 7, to the extent that PIN is stored and retrieved by providing the access code and unique feature, it is in accessible.

Re claim 11, the display of PIN code is only for a limited time, 20 seconds.

Re claim 12, the protected-access device is a bank card (page 1, lines 1-10).

Re claim 14-18 a first device is a keypad to receive user input and the second device is a processor within to make comparison and determination.

### ***Allowable Subject Matter***

Claims 5, 8-10, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is the Examiner’s statement of reasons for allowance: the claims are directed at methods and apparatus for PIN code storing and retrieving device. The device

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receives PIN code, an access code, and unique feature of a protected device. When retrieving the PIN code for the protected device, the access code and unique feature of the protected device are required. Upon verification of the access code and unique feature, the PIN code is displayed to the user. Such method is disclosed by McIntosh as indicated above. However, the cited  
5 references, taken alone or in combination, fails to further disclose such system wherein the access code may be deleted after encoding unique features and PIN codes; unique feature may be physical characteristics of the card; and unique feature may also be automatically encoded to the security device. Such PIN code storage and retrieval system is not disclosed or suggested by the cited references.

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### ***Response to Remarks***

7. Amendment filed on August 5, 2005, responding to previous Office Action (Quayle) have been carefully reviewed. Examiner apologize for withdrawing of previously allowed claims, however, careful review of all the prosecution documents necessitated this Office Action.  
15 This action is made non-final.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The  
20 examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the  
25 Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

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Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

5        *All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and*  
10   *Trademark on February 25, 1997 at 1195 OG 89.*

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished  
15   application is available for Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions or access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

20        Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim  
Primary Examiner  
Art Unit 2876  
September 29, 2005

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